

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

United States of America,)
)
Plaintiff,) **DETENTION ORDER**
)
vs.)
) Case No.: 4:09-cr-061
Charles Gabriel Allen Garness,)
)
Defendant.)

On September 3, 2009, the Defendant made his initial appearance on a Petition for Action on Conditions of Pretrial Release. AUSA Gary Delorme appeared on the Government's behalf. Assistant Federal Public Defender William Schmidt appeared on the Defendant's behalf.

After consulting with defense counsel, the Defendant advised the court that he was not contesting the violations of his pretrial conditions alleged in the petition. He also waived his right to any further hearings on the petition and consented to detention pending final disposition of this matter.

The court accepts Defendant's waiver, finding that it was made freely and voluntarily, knowingly and intelligently, and upon advice of counsel. Accordingly, the court **REVOKEs** the Defendant's pretrial release and **FURTHER ORDERS** that the Defendant be committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private consultations with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the

Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 3rd day of September, 2009.

/s/ Charles S. Miller, Jr.

Charles S. Miller, Jr.
United States Magistrate Judge